

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

| | | |
|---|---|--|
| TRACY WOOTEN, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No.: 2:07-cv-701-WKW |
| |) | |
| PAGE WALLEY, Commissioner |) | |
| of the Alabama Department of |) | |
| Human Resources, in his official |) | |
| and individual capacities, |) | |
| |) | |
| Defendant. |) | |

AMENDED MOTION TO CONTINUE

COMES NOW Defendant Dr. Page Walley, in his official capacity as Commissioner of the Alabama Department of Human Resources, and his individual capacity, by and through undersigned counsel, and moves this Court for a continuance of the pretrial conference scheduled Monday, September 15, 2008, and as grounds thereof shows as follows:

1. Undersigned counsel has an unavoidable family obligation the week of September 15, 2008, through September 19, 2008.
2. Counsel has just become aware of this scheduling conflict.
3. Counsel has not previously asked for a continuance in this case.
4. Undersigned counsel has conferred with Plaintiff's counsel who has no objection to the continuance.

WHEREFORE, THE ABOVE PREMISES CONSIDERED, defendant Walley respectfully requests that this Court continue the pretrial conference in this case to a date before or after the week of September 15, 2008, through September 19, 2008.

RESPECTFULLY SUBMITTED,

SHARON E. FICQUETTE
ASSISTANT ATTORNEY GENERAL
STATE OF ALABAMA

s/ Jennifer M. Bush
JENNIFER M. BUSH (BUS016)
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ATTORNEYS FOR PAGE WALLEY

CERTIFICATE OF SERVICE

I hereby certify that on August 15, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Keith Anderson Nelms
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